

Daniel Mateo, Esq.
REED SMITH LLP
Formed in the State of Delaware
Princeton Forrestal Village
136 Main Street, Suite 250
Princeton, New Jersey 08543-7839
Telephone (609) 987-0050
Facsimile (609) 951-0824
Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DUSA PHARMACEUTICALS, INC.,
SIRIUS LABORATORIES, INC.,
a wholly-owned subsidiary of
DUSA PHARMACEUTICALS, INC.,

Plaintiffs,

v.

RIVER'S EDGE PHARMACEUTICALS,
LLC,

Defendant.

CIVIL ACTION NO. 06-1843 (SRC)

The Honorable Stanley R. Chesler, U.S.D.J.

The Honorable Michael A. Shipp, U.S.M.J.

**NOTICE OF MOTION TO
ENFORCE SETTLEMENT**

TO: DEFENDANTS AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that on Monday, May 19, 2008, at 10:00 a.m., or on such other date as the Court may set to hear this motion, the undersigned attorneys for Plaintiff DUSA Pharmaceuticals, Inc. ("Plaintiff"), shall move before move before the United States District Court for the District of New Jersey, at the Martin Luther King Building & U.S. Courthouse, 50 Walnut Street in Newark, New Jersey for the entry of the Stipulated Consent Judgment enforcing the terms

of the Settlement Agreement and Mutual Release (the "Settlement Agreement"), and awarding Plaintiff its attorneys' fees and costs associated with its efforts to enforce the Settlement Agreement and to have the Stipulated Consent Judgment entered by this Court;

PLEASE TAKE FURTHER NOTICE that in support of this motion, Plaintiff shall rely upon this Notice, its Statement under Local Rule 7.1(d)(4) that no supporting Brief is necessary, the supporting Affidavit of Richard Christopher with exhibits attached thereto, and the supporting Affidavit of Daniel Mateo Pursuant to Local Rule 54.2; and

PLEASE TAKE FURTHER NOTICE that the Stipulated Consent Judgment executed by both parties is also submitted herewith.

Dated: April 25, 2008

REED SMITH LLP

By: /s/ Daniel Mateo

DANIEL MATEO
REED SMITH LLP
136 Main Street, Suite 250
Princeton Forrestal Village
Princeton, NJ 08540
Tel: (609) 987-0050
Fax: (609) 951-0824

CERTIFICATION OF SERVICE

1. I, Daniel Mateo, am an attorney admitted to practice before the United States District Court for the District of New Jersey and counsel to the Plaintiff in the above-captioned civil action.

2. On the date set forth below, I had electronically filed with the Clerk, United States District Court, District of New Jersey, Vicinage of Newark, a redacted copy of Plaintiff's Motion to Enforce the Settlement Agreement and Mutual Release (the "Settlement Agreement"), and supporting documents, and the Stipulated Consent Judgment. In so doing, I thereby also served the above documents in redacted form via the ECF system, and unredacted copies of such documents by overnight mail, on the following counsel of record:

Robert G. Brazier, Esq.
Baker, Donelson, Bearman,
Caldwell & Berkowitz, PC
Monarch Plaza, Suite 1600
3414 Peachtree Road, N.E.
Atlanta, Georgia 30326

Diane Stolbach, Esq.
Kraemer, Burns, Mytelka, Lovell & Kulka
675 Morris Avenue
Springfield, New Jersey 07081

3. Consistent with our local rules, a courtesy copy of the above documents was also delivered by overnight mail on the Honorable Stanley R. Chesler, U.S.D.J.

4, I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: April 25, 2008

/s/ Daniel Mateo
Daniel Mateo